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New Jersey State Prison
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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

CALEB L. MCGILLVARY) CIVIL ACTION NO.
PLAINTIFF) 3:22-cv-06430-MAS-LHG
) Hon. Michael A. Shipp, U.S.D.J.
V.) Hon. Lois H. Goodman, U.S.M.J.
)
RAHMO REIZ)
DEFENDANT)

DECLARATION IN SUPPORT OF MOTION FOR ORDER FOR SUBPOENAS TO
ISSUE AND FOR SCHEDULING ORDER
(Fed. R. Civ. P. 45, 16(b))

I, Caleb L. McGillvary, hereby declare pursuant to 28 U.S.C.
1746 the following:

1. I am the pro se plaintiff in the above-captioned matter.
2. On November 20, 2023, Hon. Michael A. Shipp, U.S.D.J. denied Defendant's motion to dismiss and ordered Defendant to answer Plaintiff's complaint.
3. On December 3, 2023, Defendant filed an Answer to the complaint.
4. Plaintiff is an incarcerated pro se litigant who is exempt from the requirements of Rule 26(f)

5. Plaintiff mailed four subpoenas to the Clerk, with a request for the Clerk to sign and affix the Court's seal to, and to issue the subpoenas in this matter. A copy of the postage remit witnessed by a corrections officer evidencing this is attached hereto as Exhibit A.


6. As of today's date, it has been over 4 months since the Court denied Defendant's motion to dismiss and ordered that his case proceed to discovery, and a discovery or scheduling order has not yet issued.

7. I declare under penalty of perjury that all of these facts are true and correct as of my own, personal knowledge.

Dated: _____

3/26/24

By: _____


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